

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
In re: : **Chapter 11**
LEHMAN BROTHERS HOLDINGS INC., et al. : **Case No. 08-13555 (SCC)**
Debtors. : **(Jointly Administered)**
----- X

STIPULATION, AGREEMENT AND ORDER REGARDING
CLAIMS NUMBER 37355 AND NUMBER 37356 SETTING A PRE-EVIDENTIARY
HEARING SCHEDULE

Lehman Brothers Holdings Inc. (“LBHI”), as Plan Administrator (the “Plan Administrator”) pursuant to the *Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors* (the “Plan”), and the Washington State Tobacco Settlement Authority (“Washington TSA”) and, together with the Plan Administrator, (the “Parties”), hereby stipulate and agree as follows:

RECITALS

WHEREAS, the Court has scheduled the evidentiary hearing of this action to begin on November 4, 2014 (the “Hearing Date”);

WHEREAS, to assist the orderly and efficient preparation for the evidentiary hearing, the parties desire to establish a pre-evidentiary hearing schedule for certain events;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel of record, and, upon court approval hereof, it shall be ordered that the schedule of pre-evidentiary hearing events in the above-captioned case shall be as follows:

<u>Event</u>	<u>Deadline</u>
Parties exchange witness lists	September 5, 2014
Parties exchange deposition designations	September 12, 2014
Parties exchange proposed exhibit lists and copies of proposed exhibits	September 26, 2014
Parties exchange counter deposition designations	October 3, 2014
Parties exchange proposed uncontested facts	October 3, 2014
Parties object to proposed exhibits	October 10, 2014
Submission to the Court of deposition designations	October 14, 2014
Submission to the Court of Joint Statement of Uncontested Facts	October 14, 2014
Parties agree upon joint exhibits, to the extent possible	October 17, 2014
Submission to the Court of Pre-Hearing Briefs	October 21, 2014
Submission to the Court of Motions in Limine	October 23, 2014
Submission to the Court of Witness Lists	October 27, 2014
Submission to the Court of joint and individual exhibit lists, as well as pre-marked joint and individual exhibits	October 30, 2014
Submission to the Court of Oppositions to the Motions in Limine	October 31, 2014

IT IS HEREBY FURTHER STIPULATED AND AGREED that the deadlines in the preceding schedule shall be for service on opposing counsel of record.

IT IS HEREBY FURTHER STIPULATED AND AGREED that service shall be by electronic mail, with hardcopy service by hand or overnight delivery for the next business day.

Dated: Seattle, Washington
September 5, 2014

PACIFICA LAW GROUP LLP

By: /s/ Paul J. Lawrence

Paul J. Lawrence

Kymberly K. Evanson

1191 Second Avenue, Suite 2100

Seattle, WA 98101

Telephone: 206-245-1700

Facsimile: 206-245-1750

Dated: New York, New York
September 5, 2014

RICH MICHAELSON MAGALIFF MOSER, LLP

By: /s/ Eric T. Moser

Eric T. Moser

Robert N. Michaelson

340 Madison Avenue, 19th Floor

Telephone: (212) 220-9402

Facsimile: (212) 913-9642

Attorneys for Washington State Tobacco Settlement Authority

Dated: New York, New York
September 9, 2014

JONES DAY

By: /s/ Laura W. Sawyer

Jayant W. Tambe

Laura W. Sawyer

222 East 41st Street

New York, New York 10017

Telephone: (212) 326-3685

Facsimile: (212) 755-7306

Attorneys for the Debtors

SO ORDERED:

Dated: New York, New York
October 6, 2014

/S/ Shelley C. Chapman

Honorable Shelley C. Chapman

United States Bankruptcy Judge